

04772 U.S. PTO

**GIRARD & EQUITZ LLP**  
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**415/433-2250**

Address to:

Box PATENT APPLICATION  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Attorney's Docket No. WASA-100First Named Inventor LEROY DAVID DICKSON

19270 U.S. PTO  
 10/791129

030204

**UTILITY PATENT APPLICATION TRANSMITTAL**  
 ( under 37 CFR 1.53(b) )

SIR:

Transmitted herewith for filing is the patent application entitled:

**ENHANCED VOLUME PHASE GRATING WITH HIGH DISPERSION, HIGH DIFFRACTION  
 EFFICIENCY AND LOW POLARIZATION SENSITIVITY**

**CERTIFICATION UNDER 37 CFR § 1.10**

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date March 2, 2004 in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number EV 322535411 US addressed to: Box PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Marsha A. Townsend

(Name of person mailing paper)

*Marsha A. Townsend*

(Signature)

Enclosed are:

1. ☒ Transmittal Form (two copies required)
2. The papers required for filing date under CFR § 1.53(b):
  - i. 23 Pages of specification (including claims and abstract);
  - ii. 13 Sheets of drawings.
 

☒ formal                      ☐ informal
3. Declaration or oath
  - a. ☒ New original – [UNSIGNED]
  - i. ☐ DELETION OF INVENTOR(S)  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
4. ☐ Microfiche Computer Program (Appendix, see 37 CFR 1.96)
5. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

**ACCOMPANYING APPLICATION PARTS**

6. ☐ An assignment of the invention to ☐ is attached (including Form PTO-1595).
 

☐ The prior application is assigned, and the assignment (copy attached) was submitted to PTO for recording on ☐.

  - i. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)

7. ☐ Power of Attorney
8. ☐ An Information Disclosure Statement (IDS) is enclosed, including a PTO-1449 and ☐ references.
9. ☐ Preliminary Amendment.
10. ☒ Return Receipt Postcard (MPEP 503 -- should be specifically itemized)
11. ☐ Other - Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i).

**12. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information**

- ☒ Continuation  
☐ Divisional  
☐ Continuation-In-Part (CIP)

of immediately prior Application No. 09/682,007, filed July 9, 2001.

i. RELATE BACK - 35 USC 120: If one of the above boxes are checked, please amend the specification by inserting before the first line the sentence: -- This application is a continuation of pending U.S. Patent Application No. 09/682,007, filed on July 9, 2001.--

**[Note to form user: lines for item 12 are intentionally spaced to permit Examiner amendments.]**

- ii. MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION  
(This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run).
- iii. CONDITIONAL PETITIONS FOR EXTENSION OF TIME IN PRIOR APPLICATION  
(Complete this item and file conditional petition in prior application if previous item (ii) not applicable).

**13. FOREIGN PRIORITY**

- ☐ Priority of application no. ☐ filed on ☐ in ☐ is claimed under 35 USC 119.

**14. FEE CALCULATION**

- a. ☐ Amendment changing number of claims or deleting multiple dependencies is enclosed.
- b. ☐ Cancel in this application original Claims ☐ of the prior application before calculating the filing fee.

**CLAIMS AS FILED**

|  | Number Filed | Number Extra | Rate      | Basic Fee (\$770) |
|--|--------------|--------------|-----------|-------------------|
| Total Claims   | 2 – 20       | *0           | x \$18.00 | 0                 |
| Independent Claims   | 1 – 3        | *0           | x \$86.00 | 0                 |
| <input type="checkbox"/> Multiple dependent claim(s), if any |              |              | \$290.00  | 0                 |

\*If less than zero, enter "0".

Filing Fee Calculation \$770.00

50% Filing Fee Reduction (if applicable). . . . . \$385.00

**15. Small Entity Status**

- a. ☒ Small entity status is claimed.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ is no longer claimed.

**16. Other Fees**

☐ Recording Assignment [\$40.00] \$

☐ Other fees Specify \_\_\_\_\_ \$

Total Fees Enclosed \$385.00

**17. Payment of Fees**

☒ A check in the amount of \$385.00 is enclosed.

**18. All correspondence regarding this application should be forwarded to the undersigned attorney:**

Alfred A. Equitz  
GIRARD & EQUITZ LLP  
400 Montgomery Street, Suite 1110  
San Francisco, CA 94104  
Telephone: 415/433-2250  
Facsimile: 415/433-2255

**19. Authorization to Charge Additional Fees**

☒ The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or § 1.17 to Account No. 50-1697. **A duplicate of this transmittal is attached.**

GIRARD & EQUITZ LLP

March 2, 2004.  
(Date)

By: Alfred A. Equitz  
Alfred A. Equitz  
Registration No. 30,922  
Attorney(s) or Agent(s) of Record

Attorney Docket No. WASA-100